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ATTORNEY DOCKET NO. 10030882-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Corydon Joseph Boyan, et al.

Serial No.: 10/718,124 **Examiner:** Tung S. Lau

Filing Date: November 19, 2003 **Group Art Unit:** 2863

Title: MARKERS USED IN THE CALCULATION AND DISPLAY OF BAND FUNCTIONS

COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria VA 22313-1450

TRANSMITTAL OF APPEAL BRIEF

Sir:

Transmitted herewith is the Appeal Brief in this application with respect to the Notice of Appeal filed on February 10, 2006 .

The fee for filing this Appeal Brief is (37 CFR 1.17(c)) **$500.00**.

(complete (a) or (b) as applicable)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136(a) apply.

☐ (a) Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)(1)-(5)) for the total number of months checked below:

☐	one month	$ 120.00
☐	two months	$ 450.00
☐	three months	$1020.00
☐	four months	$1590.00

☐ The extension fee has already been filled in this application.

☒ (b) Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Please charge to Deposit Account **50-1078** the sum of $500.00 . At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account **50-1078** pursuant to 37 CFR 1.25.

A duplicate copy of this transmittal letter is enclosed.

☒ I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date of Deposit: March 3, 2006 **OR**

☐ I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Date of Facsimile:

Typed Name: Douglas L. Weller

Signature: Douglas L. Weller

Respectfully submitted,

Corydon Joseph Boyan, et al.

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AGILENT TECHNOLOGIES
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PATENT APPLICATION
ATTORNEY DOCKET NO. 10030882-1

IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

INVENTOR(S): Corydon Joseph Boyan; Michael Ferrel; Robert Nathan Nelson; Joseph Michael Gorin

CONFIRMATION NO: 9103

SERIAL NO: 10/718,124 **GROUP ART UNIT:** 2863

FILED: November 19, 2003 **EXAMINER:** Tung S. Lau

SUBJECT: MARKERS USED IN THE CALCULATION AND DISPLAY OF BAND FUNCTIONS

COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

SIR:

APPEAL BRIEF

Appellant herein sets forth his reasons and arguments for appealing the Examiner's final rejection of claims in the above-identified case.

REAL PARTY IN INTEREST

This Patent Application has been assigned to Agilent Technologies, Inc., which has been incorporated in the State of Delaware.

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RELATED APPEALS AND INTERFERENCES

Appellant is aware of no related appeals or interferences.

STATUS OF CLAIMS

Claims 1 through 20 are extant in the case.

Claims 1 through 20 are rejected.

The appealed claims are claims 1 through 20.

STATUS OF AMENDMENTS

After the final rejection, Appellant filed a Response to Office Action dated January 6, 2006. No amendments to the claims were made in the Response.

SUMMARY OF CLAIMED SUBJECT MATTER

Independent Claim 1:

Independent claim 1 sets out a method for performing a function on a selected portion of a signal (23). A start frequency is marked with a band marker (1,2,10). A stop frequency is marked with the band marker (1,2,10). A center frequency located half way between the start frequency and the stop frequency is marked. See Figure 1 and the Specification at paragraph [0011] beginning on page 2. The center frequency, the start frequency and the stop frequency are simultaneously marked by the band marker (1,2,10). See Figure 1 and the Specification at paragraph [0011] beginning on page 2. A mathematical operation is performed on a bandwidth of the signal (23) between the start

frequency and the stop frequency. See the Specification at paragraph [0021], beginning on page 5. A numerical value representing a result of the mathematical operation is displayed. See Figure 5 and the Specification at paragraph [0021], beginning on page 5.

Independent Claim 7:

Independent claim 7 sets out a user interface for an electronic instrument (60). See Figure 2. A display (62) displays a signal (23) and a band marker (1,2,10). See Figure 3 and the Specification at paragraph [0016] on page 4. The band marker (1,2,10) demarks a bandwidth of the signal (23) by simultaneously marking a start frequency of the bandwidth, a stop frequency of the bandwidth and a center frequency of the bandwidth. See Figure 1 and the Specification at paragraph [0011] beginning on page 2. The electronic instrument (60) performs a mathematical operation on the bandwidth of the signal (23) between the start frequency and the stop frequency and displays a numerical value representing a result of the mathematical operation. See Figure 5 and the Specification at paragraph [0021], beginning on page 5.

Independent Claim 14:

Independent claim 14 sets out an electronic instrument (60). See Figure 2. An input means (61,63,64) receives selections from a user. See paragraph [0015] on page 4. A display means (62) displays a signal (23) and a band marker (1,2,10). See Figure 3 and the Specification at paragraph [0016] on page 4. The

band marker (1,2,10) demarks a bandwidth of the signal (23) by simultaneously marking a start frequency of the bandwidth, a stop frequency of the bandwidth and a center frequency of the bandwidth. See Figure 1 and the Specification at paragraph [0011] beginning on page 2. The electronic instrument (60) performs a mathematical operation on the bandwidth of the signal (23) between the start frequency and the stop frequency and displays a numerical value representing a result of the mathematical operation. See Figure 5 and the Specification at paragraph [0021], beginning on page 5.

GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

(1) Claims 1 to 20 stand rejected under 35 U.S.C. § 102 (b) as anticipated by Agilent Technologies PSA Series Spectrum Analyzers. May 2002. (*Agilent*).

ARGUMENT

A. Overview of Errors in the Rejection of the Claims under 35 U.S.C. 102.

The criteria for a rejection under 35 U.S.C. § 102(b) has been defined by the courts and confirmed by the U.S. Patent and Trademark Office. "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

The Examiner has failed to show that each and every element set forth in the claims is found either expressly or inherently by the cited art.

Below, Appellant sets out subject matter in each of the independent claims not disclosed or suggested by *Agilent*. On the basis of this, Appellant believes all the claims are patentable over *Agilent*.

B. Discussion of Independent Claim 1

Independent claim 1 sets out a method for performing a function on a selected portion of a signal. In claim 1, a start frequency, a stop frequency and a center frequency are simultaneously marked by a band marker. The center frequency is located half way between the start frequency and the stop frequency. This is not disclosed or suggested by the cited art.

The Examiner has suggested that marking of a center frequency is disclosed by a diamond marker shown in figure 2-1 of *Agilent*. This is incorrect.

In figure 2-1, the diamond marker is a delta marker placed by a user. See page 10 of *Agilent*. The diamond marker is not part of a band marker, as set out in claim 1 and the diamond marker does not mark a center frequency that is located halfway between a start frequency and a stop frequency, as is set out by claim 1.

In figure 2-1, on the bottom of the graph, the text specifically states the center frequency is at 30.00 MHz. The diamond marker is located at 10.00 MHz. On this basis alone it is clear that the Examiner's assertion that the diamond marker is located at a center frequency is not correct.

The Examiner appears to be arguing that the diamond marker shown in figure 2-1 is simultaneously marking the center frequency for the start and stop frequency marked in figures 8-7 and 8-8. This is clearly incorrect.

In both figure 8-7 and figure 8-8, the center frequency is listed as 1.96 GHz. In figure 2-1, the center frequency is listed as 30.00 MHz. The diamond marker in figure 2-1 is located at 10.00 MHz. It is clear, therefore, that the diamond marker in figure 2-1 is not marking a center frequency for figure 2-1, figure 8-7 or figure 8-8.

Also, Applicant notes that the Examiner's assertion that the diamond marker shown in figure 2-1 is *simultaneously* marking the center frequency for the start and stop frequency marked in figures 8-7 and 8-8 is also clearly erroneous. There is nothing simultaneous about the display shown in figure 2-1 and the displays shown in figures 8-7 and 8-8. For example, the date listed in the display shown in figure 2-1 is October 23, 2000. The date listed in the display shown in figure 8-7 is March 23, 2002. The date listed in the display shown in figure 8-8 is October 8, 2001.

It is very clear that the diamond marker shown in figure 2-1 of *Agilent* is not marking a center frequency located half way between a start frequency and a stop frequency as set out in claim 1, and is not part of a band marker simultaneously marking a center frequency, a start frequency and a stop frequency as set out in claim 1.

1. Response to Various Arguments Made by the Examiner

a. Marking of a center frequency:

In the Final Office action, dated December 5, 2005, beginning on page 7, line 4, the Examiner cites *Agilent* at pages 10, 61, 62, 66 and 67 and Figure 2-1 as disclosing the 'marking of a center frequency by a diamond of band marker'. The Examiner appears to have misread what is shown in figure 2-1 of *Agilent*. Specifically, the Examiner appears to be arguing that the diamond mark in figure 2-1 is showing a "center frequency". This is clearly incorrect.

In figure 2-1, on the bottom of the graph, the text specifically states the center frequency is at 30.00 MHz. The diamond marker is located at 10.00 MHz. On this basis alone it is clear that the Examiner's assertion that the diamond marker is located at a center frequency is not correct.

In figure 2-1, the diamond marker is a delta marker placed by a user. See page 10 of *Agilent*. The diamond marker is not part of a band marker, as set out in claim 1 and the diamond marker does not mark a center frequency that is located halfway between a start frequency and a stop frequency, as is set out by claim 1.

The Examiner has made several additional incorrect assertions about what is shown in figure 2-1. For example, the Examiner appears to be arguing that the diamond marker shown in figure 2-1 is simultaneously marking the center frequency for the start and stop frequency marked in figures 8-7 and 8-8 shown on pages 66 and 67 of *Agilent*. This is clearly incorrect.

In both figure 8-7 and figure 8-8, the center frequency is listed as 1.96 GHz. In figure 2-1, the center frequency is listed as 30.00 MHz. The diamond marker in figure 2-1 is located at 10.00 MHz. It is clear, therefore, that the diamond marker in figure 2-1 is not marking a center frequency for figure 2-1, figure 8-7 or figure 8-8.

Also, Applicant notes that the Examiner's assertion that the diamond marker shown in figure 2-1 is *simultaneously* marking the center frequency for the start and stop frequency marked in figures 8-7 and 8-8 is also clearly erroneous. There is nothing simultaneous about the display shown in figure 2-1 and the displays shown in figures 8-7 and 8-8. For example, the date listed in the display shown in figure 2-1 is October 23, 2000. The date listed in the display shown in figure 8-7 is March 23, 2002. The date listed in the display shown in figure 8-8 is October 8, 2001.

It is very clear that the diamond marker shown in figure 2-1 of *Agilent* is not marking a center frequency located half way between a start frequency and a stop frequency as set out in claim 1, and is not part of a band marker simultaneously marking a center frequency, a start frequency and a stop frequency as set out in claim 1.

b. Broadest reasonable interpretation:

In the Advisory Action dated January 24, 2006, the Examiner has asserted that the pending claims must be "given the broadest reasonable interpretation consistent with the specification". Applicant does not believe that the

Examiner's interpretation of what is shown in figure 2-1 of *Agilent* is reasonable. No person of ordinary skill in the art would mistakenly assume that the diamond marker shown in figure 2-1 of *Agilent* is marking the center frequency of a band marking. Also, no person of ordinary skill in the art would mistakenly assume that the diamond marker shown in figure 2-1 of *Agilent* is marking the center frequency for the band marking shown in figure 8-7 or figure 8-8 of *Agilent*. Any person of ordinary skill in the art would recognize that this is an unreasonable interpretation of what is shown in figure 2-1 of *Agilent*.

c. Use of multiple signals/ band markers

In the Advisory Action dated January 24, 2006, the Examiner makes the following argument:

> ...in fig. 2-1 the ma[r]ker is at 10 MH[z], and later on after some adjustment in fig. 2-2, the marker shifted to 20 M[H]z, like this example show at least the programmable marker can mark the center of a waveform as the function of the marker is programmable and mark anywhere with the band of frequency. Regarding to fig. 8-7, 8-8 in combination of 2-1, as the reference has mention the combination of any two set of signals can be display on the same screen or not on page 8, chapter 2, it is clear that to one of ordinary skill in the art at the time the invention was made that any two set of the signals teaches in the reference can be shown simultaneously as the claim invention.

Here the Examiner appears to be arguing that different markers (shown variously in figures 2-1, 8-7 and 8-8) available in *Agilent* could be used simultaneously to mark a start frequency, a stop frequency and a center frequency. While *Agilent* may include the capability to use multiple markers to

simultaneously mark a signal, the existence of this capability (if it exists) does not disclose or suggest the subject matter set out in claim 1.

i. Hindsight reconstruction

First, the criteria for a rejection under 35 U.S.C. § 102(b) is not what could be accomplished using hindsight, but what the art actually discloses. While it may be possible for a user to use multiple signal markers available within *Agilent* to simultaneously mark a start frequency, a stop frequency and a center frequency for a bandwidth of a signal, *Agilent* does not actually disclose or suggest that this be done. Rather, the Examiner appears to be arguing the possibility that a hindsight reconstruction of the invention could be performed using *Agilent*. That is, using the present invention as a guide, *Agilent* could be used to reproduce the invention. Such a hindsight reconstruction based on the teaching of the invention, and not the teaching of the prior art, cannot be the basis for a rejection under 35 U.S.C. § 102(b).

ii. Use of multiple band markers fails to disclose claim 1

Even if the Examiner's were allowed to attempt hindsight reconstruction of the present invention using multiple markers available within *Agilent*, this would still not disclose or suggest the subject matter set out in claim 1. Specifically, claim 1 sets out that a start frequency, a stop frequency and a center frequency are simultaneously marked by a *single band marker*. Specifically, claim 1 sets out that "the center frequency, the start frequency and the stop frequency

are simultaneously marked by *the* band marker." This use of a single band marker to simultaneously mark a start frequency, a stop frequency and a center frequency is not disclosed or suggested by the capability of using multiple band markers to mark a start frequency, a stop frequency and a center frequency.

C. Discussion of Independent Claim 7

Independent claim 7 sets out a user interface for an electronic instrument. In claim 7, a band marker demarks a bandwidth of the signal by simultaneously marking a start frequency of the bandwidth, a stop frequency and a center frequency of the bandwidth. This is not disclosed or suggested by the cited art.

The Examiner has suggested that marking of a center frequency is disclosed by a diamond marker shown in figure 2-1 of *Agilent*. This is incorrect.

In figure 2-1, the diamond marker is a delta marker placed by a user. See page 10 of *Agilent*. The diamond marker is not part of a band marker, as set out in claim 7 and the diamond marker does not mark a center frequency of a bandwidth located halfway between a marked start frequency and a marked stop frequency, as is set out by claim 7.

In figure 2-1, on the bottom of the graph, the text specifically states the center frequency is at 30.00 MHz. The diamond marker is located at 10.00 MHz. On this basis alone it is clear that the Examiner's assertion that the diamond marker is located at a center frequency is not correct.

The Examiner appears to be arguing that the diamond marker shown in figure 2-1 is simultaneously marking the center frequency for the start and stop frequency marked in figures 8-7 and 8-8. This is clearly incorrect.

In both figure 8-7 and figure 8-8, the center frequency is listed as 1.96 GHz. In figure 2-1, the center frequency is listed as 30.00 MHz. The diamond marker in figure 2-1 is located at 10.00 MHz. It is clear, therefore, that the diamond marker in figure 2-1 is not marking a center frequency for figure 2-1, figure 8-7 or figure 8-8.

Also, Applicant notes that the Examiner's assertion that the diamond marker shown in figure 2-1 is *simultaneously* marking the center frequency for the start and stop frequency marked in figures 8-7 and 8-8 is also clearly erroneous. There is nothing simultaneous about the display shown in figure 2-1 and the displays shown in figures 8-7 and 8-8. For example, the date listed in the display shown in figure 2-1 is October 23, 2000. The date listed in the display shown in figure 8-7 is March 23, 2002. The date listed in the display shown in figure 8-8 is October 8, 2001.

It is very clear that the diamond marker shown in figure 2-1 of *Agilent* is not marking a center frequency located half way between a start frequency and a stop frequency as set out in claim 7, and is not part of a band marker simultaneously marking a center frequency, a start frequency and a stop frequency as set out in claim 7.

D. Discussion of Independent Claim 14

Independent claim 14 sets out a user interface for an electronic instrument. In claim 14, a band marker demarks a bandwidth of the signal by simultaneously marking a start frequency of the bandwidth, a stop frequency of the bandwidth and a center frequency of the bandwidth. The electronic instrument performs a mathematical operation on the bandwidth of the signal between the start frequency and the stop frequency and displays a numerical value representing a result of the mathematical operation. This is not disclosed or suggested by the cited art.

The Examiner has suggested that marking of a center frequency is disclosed by a diamond marker shown in figure 2-1 of *Agilent*. This is incorrect.

In figure 2-1, the diamond marker is a delta marker placed by a user. See page 10 of *Agilent*. The diamond marker is not part of a band marker, as set out in claim 14 and the diamond marker does not mark a center frequency of a bandwidth located halfway between a marked start frequency and a marked stop frequency, as is set out by claim 14.

In figure 2-1, on the bottom of the graph, the text specifically states the center frequency is at 30.00 MHz. The diamond marker is located at 10.00 MHz. On this basis alone it is clear that the Examiner's assertion that the diamond marker is located at a center frequency is not correct.

The Examiner appears to be arguing that the diamond marker shown in figure 2-1 is simultaneously marking the center frequency for the start and stop frequency marked in figures 8-7 and 8-8. This is clearly incorrect.

In both figure 8-7 and figure 8-8, the center frequency is listed as 1.96 GHz. In figure 2-1, the center frequency is listed as 30.00 MHz. The diamond marker in figure 2-1 is located at 10.00 MHz. It is clear, therefore, that the diamond marker in figure 2-1 is not marking a center frequency for figure 2-1, figure 8-7 or figure 8-8.

Also, Applicant notes that the Examiner's assertion that the diamond marker shown in figure 2-1 is *simultaneously* marking the center frequency for the start and stop frequency marked in figures 8-7 and 8-8 is also clearly erroneous. There is nothing simultaneous about the display shown in figure 2-1 and the displays shown in figures 8-7 and 8-8. For example, the date listed in the display shown in figure 2-1 is October 23, 2000. The date listed in the display shown in figure 8-7 is March 23, 2002. The date listed in the display shown in figure 8-8 is October 8, 2001.

It is very clear that the diamond marker shown in figure 2-1 of *Agilent* is not marking a center frequency located half way between a start frequency and a stop frequency as set out in claim 14, and is not part of a band marker simultaneously marking a center frequency, a start frequency and a stop frequency as set out in claim 14.

CONCLUSION

For all the reasons discussed above, Appellant believes the rejection of the claims was in error and respectfully requests that the rejection be reversed.

Respectfully submitted,

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MICHAEL FERREL
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By Douglas L Weller
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CLAIMS APPENDIX

1. (*Previously Presented*) A method for performing a function on a selected portion of a signal, comprising:

marking a start frequency with a band marker;

marking a stop frequency with the band marker;

marking a center frequency located half way between the start frequency and the stop frequency, wherein the center frequency, the start frequency and the stop frequency are simultaneously marked by the band marker;

performing a mathematical operation on a bandwidth of the signal between the start frequency and the stop frequency; and,

displaying a numerical value representing a result of the mathematical operation.

2. (Previously Presented) A method as in claim 1 wherein the mathematical operation is one of the following:

band power representing a total amount of power of the signal within the bandwidth of the signal between the start frequency and the stop frequency;

band power density representing a density of power of the signal within the bandwidth of the signal between the start frequency and the stop frequency.

3. (Original) A method as in claim 1:

wherein the start frequency is marked with a left foot of the band marker, the left foot of the band marker being a vertical line; and,

wherein the stop frequency is marked with a right foot of the band marker, the right foot of the band marker being a vertical line.

4. (Previously Presented) A method as in claim 1:

wherein the start frequency is marked with a left foot of the band marker, the left foot of the band marker being a vertical line;

wherein the stop frequency is marked with a right foot of the band marker, the right foot of the band marker being a vertical line; and,

wherein the center frequency is indicated by a center diamond of the band marker.

5. (Original) A method as in claim 1 additionally comprising:

marking a second start frequency with a second band marker;

marking a second stop frequency with the second band marker; and,

performing a delta band function on a second bandwidth of the signal between the second start frequency and the second stop frequency along with the bandwidth of the signal between the start frequency and the stop frequency.

6. (Original) A method as in claim 5 wherein the delta band function is one of the following:

delta band power;

delta band power density.

7. (Previously Presented) A user interface for an electronic instrument, comprising:

a display that displays a signal and a band marker, the band marker demarking a bandwidth of the signal by simultaneously marking a start frequency of the bandwidth, a stop frequency of the bandwidth and a center frequency of the bandwidth;

wherein the electronic instrument performs a mathematical operation on the bandwidth of the signal between the start frequency and the stop frequency and displays a numerical value representing a result of the mathematical operation.

8. (Previously Presented) A user interface as in claim 7 wherein the function is one of the following:

band power representing a total amount of power of the signal within the bandwidth of the signal between the start frequency and the stop frequency;

band power density representing a density of power of the signal within the bandwidth of the signal between the start frequency and the stop frequency.

9. (Original) A user interface as in claim 7:

wherein the start frequency is marked with a left foot of the band marker, the left foot of the band marker being a vertical line; and,

wherein the stop frequency is marked with a right foot of the band marker, the right foot of the band marker being a vertical line.

10. (Previously Presented) A user interface as in claim 7:

wherein the start frequency is marked with a left foot of the band marker, the left foot of the band marker being a vertical line;

wherein the stop frequency is marked with a right foot of the band marker, the right foot of the band marker being a vertical line; and,

wherein the center frequency is indicated by a center diamond of the band marker.

11. (Original) A user interface as in claim 7 wherein the display additionally displays a second band marker, the second band marker demarking a second bandwidth of the signal by marking both a start frequency of the second bandwidth, and a stop frequency of the second bandwidth.

12. (Original) A user interface as in claim 7 wherein the display additionally displays a second band marker, the second band marker demarking a second bandwidth of the signal by marking both a start frequency of the second bandwidth, and a stop frequency of the second bandwidth;

wherein the electronic instrument performs a delta function on the second bandwidth of the signal vis-à-vis the bandwidth of the signal between the start frequency and the stop frequency.

13. (Original) A user interface as in claim 12 wherein the delta band function is one of the following:

delta band power;

delta band power density.

14. (Previously Presented) An electronic instrument, comprising:

an input means for receiving selections from a user; and,

a display means for displaying a signal and a band marker, the band marker demarking a bandwidth of the signal by simultaneously marking a start frequency of the bandwidth, a stop frequency of the bandwidth and a center frequency of the bandwidth;

wherein the electronic instrument performs a mathematical operation on the bandwidth of the signal between the start frequency and the stop frequency and displays a numerical value representing a result of the mathematical operation.

15. (Previously Presented) An electronic instrument as in claim 14 wherein the function is one of the following:

band power representing a total amount of power of the signal within the bandwidth of the signal between the start frequency and the stop frequency;

band power density representing a density of power of the signal within the bandwidth of the signal between the start frequency and the stop frequency.

16. (Original) An electronic instrument as in claim 14:

wherein the start frequency is marked with a left foot of the band marker, the left foot of the band marker being a vertical line; and,

wherein the stop frequency is marked with a right foot of the band marker, the right foot of the band marker being a vertical line.

17. (Previously Presented) An electronic instrument as in claim 14:

wherein the start frequency is marked with a left foot of the band marker, the left foot of the band marker being a vertical line;

wherein the stop frequency is marked with a right foot of the band marker, the right foot of the band marker being a vertical line; and,

wherein the center frequency is indicated by a center diamond of the band marker.

18. (Original) An electronic instrument as in claim 14 wherein the display means is additionally for displaying a second band marker, the second band marker demarking a second bandwidth of the signal by marking both a start frequency of the second bandwidth, and a stop frequency of the second bandwidth.

19. (Original) An electronic instrument as in claim 14 wherein the display means is additionally for displaying a second band marker, the second band marker demarking a second bandwidth of the signal by marking both a start

frequency of the second bandwidth, and a stop frequency of the second bandwidth;

wherein the electronic instrument performs a delta function on the second bandwidth of the signal vis-à-vis the bandwidth of the signal between the start frequency and the stop frequency.

20. (Original) An electronic instrument as in claim 19 wherein the delta band function is one of the following:

delta band power;

delta band power density.

EVIDENCE APPENDIX

No evidence under §§ 1.130, 1.131, or 1.132 is relied upon by appellant in the appeal.

RELATED PROCEEDINGS APPENDIX

There are no related decisions rendered by a court or the Board.